

**U.S. District Court
Northern District of Texas (Dallas)
CRIMINAL DOCKET FOR CASE #: 3:14-mj-00616-BN-1**

Case title: USA v. Spratling

Date Filed: 08/29/2014

Other court case number: 4:14-cr-035 Eastern District of Texas

Assigned to: Magistrate Judge
David L Horan

Defendant (1)

Gina Spratling

represented by **Scott H Palmer**
Scott H Palmer PC
15455 Dallas Parkway
Suite 540 LB 32
Addison, TX 75001
214/987-4100
Fax: 214/922-9900
Email: scott@scottpalmerlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained
Bar Status: Admitted/In Good Standing

Pending Counts

None

Disposition

**Highest Offense Level
(Opening)**

None

Disposition

Terminated Counts

None

Disposition

**Highest Offense Level
(Terminated)**

None

Disposition

Complaints

O/D Probation Violation Petition

Disposition

Plaintiff

USA

represented by **Mark T Pittman–DOJ**
 United States Attorney's Office
 Northern District of Texas
 1100 Commerce Street
 3rd Floor
 Dallas, TX 75242
 214–659–8662
 Fax: 214–767–4104
 Email: mark.pittman@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained
Bar Status: Admitted/In Good Standing

Date Filed	#	Page	Docket Text
08/29/2014			Arrest (Rule 5) of Gina Spratling. Case Number 4:14-cr-035 from Eastern District of Texas. (mcrd) (Entered: 08/29/2014)
08/29/2014	<u>1</u>	3	Minute Entry for proceedings held before Magistrate Judge David L Horan: Initial Appearance as to Gina Spratling held on 8/29/2014. Deft waived identity hearing, but reserved her right to a detention hearing in the charging district upon removal. Attorney Appearances: AUSA – Mark Pittman; Defense – Scott Palmer. (Court Reporter: Digital File) (No exhibits) Time in Court – :05. (mcrd) (Entered: 08/29/2014)
08/29/2014	<u>2</u>	4	ENTRY OF APPEARANCE OF COUNSEL by Scott H Palmer appearing for Gina Spratling (mcrd) (Entered: 08/29/2014)
08/29/2014	<u>3</u>	5	MOTION for Pretrial Detention filed by USA as to Gina Spratling (mcrd) (Entered: 08/29/2014)
08/29/2014	<u>4</u>	8	WAIVER of Rule 5 Hearings by Gina Spratling (mcrd) (Entered: 08/29/2014)
08/29/2014	<u>5</u>	9	Report of Proceedings under Rule 5(c)(3) and 5.1 as to Gina Spratling. Defendant is removed forthwith to the district in which she is charged. Paperwork sent to Eastern District of Texas. (Ordered by Magistrate Judge David L Horan on 8/29/2014) (mcrd) (Entered: 08/29/2014)

**NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

JUDGE: DAVID L. HORAN		
DEPUTY CLERK: Vila Fisher		COURT REPORTER/TAPE NO: FTR
LAW CLERK:		USPO/PTSO:
INTERPRETER:		COURT TIME: 3 mins
A.M.	P.M. 2:00	DATE: August 29, 2014

MAG. NO. DIST. CR. NO. 3:14-mj-00616-BN *SEALED* USDJ Magistrate Judge David L Horan

UNITED STATES OF AMERICA § Mark Pittman, AUSA

v. §

GINA SPRATLING (1) § Scott Palmer §
COUNSEL FOR DEFENDANTS APPT - (A), Retd -
(R), FPD - (F)

INITIAL APPEARANCE IDENTITY BOND HEARING PRELIMINARY HEARING

DETENTION HEARING COUNSEL DETERMINATION HEARING REMOVAL HEARING EXTRADITION HEARING

HEARING CONTINUED ON _____ CASE NO. _____ OTHER DISTRICT DIVISION

DATE OF FEDERAL ARREST/CUSTODY: 08/29/2014 SURRENDER _____ RULE 5/32 APPEARED ON WRIT

DEFT FIRST APPEARANCE. DEFT ADVISED OF RIGHTS/CHARGES PROBATION/SUPERVISED RELEASE VIOLATOR ^{Pretrial}

DEFT FIRST APPEARANCE WITH COUNSEL.

DEFT MW (MATERIAL WITNESS) _____ APPEARED WITH WITHOUT COUNSEL

REQUESTS APPOINTED COUNSEL.

FINANCIAL AFFIDAVIT EXECUTED.

ORDER APPOINTING FEDERAL PUBLIC DEFENDER.

PRIVATE COUNSEL APPOINTED _____

DEFT HAS RETAINED COUNSEL Scott Palmer

ARRAIGNMENT SET DETENTION HEARING SET _____

PRELIMINARY HEARING SET _____ BOND HEARING SET _____

COUNSEL DETERMINATION HEARING SET _____

IDENTITY/REMOVAL HEARING SET _____

BOND SET REDUCED TO \$ _____ CASH SURETY 10% PR UNS 3RD PTY MW

NO BOND SET AT THIS TIME, ____ DAY DETENTION ORDER TO BE ENTERED.

ORDER OF TEMPORARY DETENTION/COMMITMENT PENDING HEARING ENTERED.

ORDER OF DETENTION PENDING TRIAL ENTERED.

DEFT ADVISED OF CONDITIONS OF RELEASE.

BOND EXECUTED DEFT MW RELEASED STATE AUTHORITIES INS

DEFT MW REMANDED TO CUSTODY.

DEFT ORDERED REMOVED TO ORIGINATING DISTRICT.

WAIVER OF PRELIMINARY HEARING RULE 5/32 HEARING DETENTION HEARING

COURT FINDS PROBABLE CAUSE ID PC.

DEFT FAILED TO APPEAR. ORAL ORDER FOR ISSUANCE OF BENCH WARRANT.

GOVERNMENT TO NOTIFY FOREIGN CONSULAR.

REMARKS: Dft reserves the right to Det Hng in the changing district

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED
AUG 29 2014
CLERK, U.S. DISTRICT COURT
By _____ Deputy <u>W</u>

UNITED STATES OF AMERICA
v.
GINA SPRATLING (1)

§
§ Case No. 3:14-mj-00616-BN *SEALED*
§

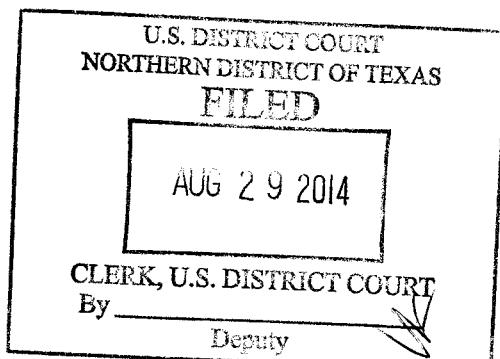
ENTRY OF APPEARANCE OF COUNSEL

I wish to enter my appearance as **retained** counsel for the above-named defendant(s) in this cause.

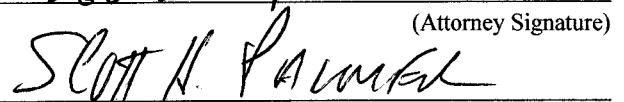
I understand that it is my duty to continue to represent the named defendant(s) in connection with all matters relating to this case, and in connection with all proceedings therein in this Court; to assist him with any appeal which he desires to perfect, and to represent him on appeal until a final judgment has been entered; unless and until, after written motion filed by me, I am relieved by Order of the Court.

In all cases an arraignment is scheduled promptly after the return or filing of an indictment or information, at which time the defendant must enter a plea. Your attention is directed to Rule 12, Federal Rules of Criminal Procedure, pertaining to pretrial motions.

DATED: 29th day of August, 2014.



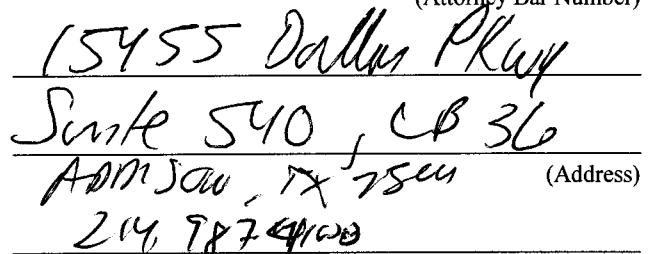
(Attorney Signature)



(Attorney Name – Please Print)



(Attorney Bar Number)



15455 Dallas Pkwy
Suite 540, CB 36
Addison, TX 75001
214-787-4900

(Address)

00797196
(Phone No. including area code)

NORTHERN DISTRICT OF TEXAS

FILED

AUG 29 2014

CLERK, U.S. DISTRICT COURT

By _____

Deputy ✓

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

NO. 3:14-MJ-00616

v.
GINA SPRATLING**MOTION FOR DETENTION**

The United States moves for pretrial detention of defendant, **Gina Spratling**, pursuant to 18 U.S.C. §3142(e) and (f).

1. Eligibility of Case. This case is eligible for a detention order because the case involves (check all that apply):

- Crime of violence (18 U.S.C. §3156);
 Maximum sentence life imprisonment or death
 10 + year drug offense
 Felony, with two prior convictions in above categories
 Serious risk defendant will flee
 Serious risk obstruction of justice
 Felony involving a minor victim
 Felony involving a firearm, destructive device, or any other dangerous weapon
 Felony involving a failure to register (18 U.S.C. § 2250)

2. Reason for Detention. The Court should detain defendant because there are no conditions of release which will reasonably assure (check one or both):

- Defendant's appearance as required
 Safety of any other person and the community

3. Rebuttable Presumption. The United States will/will not invoke the rebuttable presumption against defendant because (check one or both):

- Probable cause to believe defendant committed 10+ year drug offense or firearms offense, 18 U.S.C. §924(c)
 Probable cause to believe defendant committed a federal crime of terrorism, 18 U.S.C. §2332b(g)(5)
 Probable cause to believe defendant committed an offense involving a minor, 18 U.S.C. §§1201, 2251
 Previous conviction for "eligible" offense committed while on pretrial bond

4. Time For Detention Hearing. The United States requests the Court conduct the detention hearing,

- At first appearance
 After continuance of 3 days (not more than 3).

DATED this 29th day of August, 2014.

Respectfully submitted,

SARAH R. SALDAÑA
UNITED STATES ATTORNEY



MARK T. PITTMAN
Special Assistant United States Attorney
Bar No. 2401338
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served on counsel for the defendant in accordance with the Federal Rules of Criminal Procedure on this 29th day of August, 2014.



MARK T. PITTMAN
Special Assistant United States Attorney

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

UNITED STATES OF AMERICA

v.

GINA SPRATLING (1)

§ Case No. 3:14-mj-00616-BN *SEALED*

§

§

§

§ Charging District's Case No. 4:14-cr-035

**WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)**

I understand that I have been charged in another district, the Eastern District of Texas.

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing within 14 days of my first appearance if I am in custody and 21 days otherwise — unless I am indicted — to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

an identity hearing and production of the warrant.

a preliminary hearing.

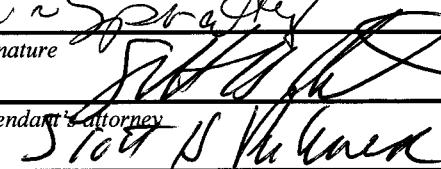
a detention hearing.

an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 29th day of August, 2014


Defendant's Signature


Signature of defendant's attorney

Printed name of defendant's attorney

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

UNITED STATES OF AMERICA

v.

GINA SPRATLING (1)

§ Case No. 3:14-mj-00616-BN *SEALED*
 § Other Dist. Docket No. 4:14-cr-035
 § Charge Pending:
 § Eastern District of Texas
 § Sherman Division

**REPORT OF PROCEEDINGS UNDER RULES 5(c)(3) and 5.1
AND ORDER ENTERED THEREON**

The defendant is charged in the above-referenced district with the offense of Pretrial Release Violation. Having been arrested in this district on a warrant issued on that/those charge(s), he/she appeared before me for proceedings as follows:

U.S. DISTRICT COURT NORTHERN DISTRICT OF TEXAS
FILED
AUG 29 2014
CLERK, U.S. DISTRICT COURT
By _____ Deputy <i>[Signature]</i>

Rule 5(c)(3) Transfer

- The government has produced a copy of the warrant, and
- The Court finds that the person before the Court is the defendant named in the indictment, information or warrant because:
 - The defendant waived identity hearing.
 - An identity hearing was conducted, and the defendant's identity was established.
- The Court finds, based on the evidence presented during an identity hearing, that the person before the Court is **NOT** the defendant named in the indictment, information or warrant.

Rule 5.1: Preliminary Hearing

- No preliminary hearing is necessary because the defendant is charged by indictment.
- The defendant waived a preliminary hearing.
- The defendant elected to have a preliminary hearing in the district where the prosecution is pending.
- The defendant elected to have a preliminary hearing in this district, and based on the evidence presented during the hearing, the Court finds that:
 - There is probable cause to believe that the defendant committed the offense(s) charged.
 - There is NOT probable cause to believe that the defendant committed the offense(s) charged.

Rule 5(d)(3) Detention Hearing

- No detention hearing is necessary because the government did not move to detain the defendant.
- The defendant waived a detention hearing.

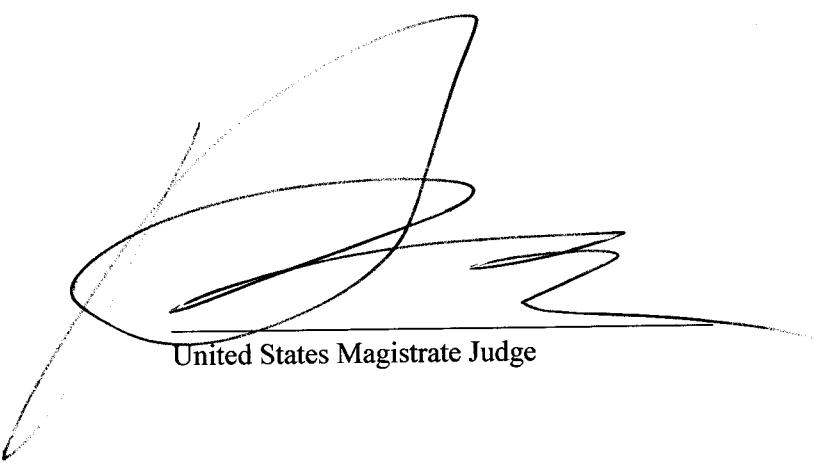
- The defendant elected to have a detention hearing in the district where the prosecution is pending.
 - The defendant elected to have a detention hearing in this district, and based on the evidence presented during the hearing, the Court finds that:
 - The defendant should be detained.
 - The defendant should be released on bond.
-

ORDER ENTERED ON THE FOREGOING REPORT

TO: UNITED STATES MARSHAL

- You are commanded to transfer the above-named defendant forthwith to the district in which he/she is charged and there deliver him/her to the United States Marshal for that district or to some other officer authorized to receive him/her.
- It is ORDERED that this defendant be released from custody on bond pending further proceedings.
- It is ORDERED that this defendant be discharged.

DATE: 29th day of August, 2014


United States Magistrate Judge

(Use Other Side for Return)